

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

DANIEL KEITH FULLER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:14-cv-02830-TLW
	)	
JOANNE ROSS, and SOUTHERN	)	
HEALTH PARTNERS, INC.,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

This case is now before the Court because Plaintiff has failed to comply with the Court's Order entered on August 26, 2014 (Doc. #5), and because Plaintiff has failed to provide the Court with an updated address.

A review of the record indicates that the Magistrate Judge ordered Plaintiff to submit service documents needed to render this case into proper form within twenty-one days of entry of the Order and specifically informed Plaintiff that if he failed to do so, this case would be dismissed without prejudice. (Doc. #5). The Court has not received any response from Plaintiff, but the Order mailed to Plaintiff at the address he provided upon filing this case was returned as "undeliverable." (Doc. #8).

Plaintiff's failure to provide the Court with an updated address upon his release from detention center custody indicates an intent to discontinue his prosecution of the case and subjects the case to dismissal. See Fed. R. Civ. P. 41(b) (district courts may dismiss an action if a plaintiff fails to comply with "any order of the court"); see also Chandler Leasing Corp. v. Lopez, 669 F.2d 919, 920 (4th Cir. 1982) (court may dismiss sua sponte).

Accordingly, this case is **DISMISSED** without prejudice. The Clerk of Court shall close the file.<sup>1</sup>

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
Terry L. Wooten  
Chief United States District Judge

October 9, 2014  
Columbia, South Carolina

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<sup>1</sup> Under General Order, Misc. No. 3:07-5014-JFA, this dismissal *without prejudice* does *not* count as a “strike” for purposes of the “three strikes” provision of 28 U.S.C. § 1915(g). If Plaintiff wishes to bring this action in the future, he should obtain new forms for doing so from the Clerk’s Office in Columbia (**901 Richland Street, Columbia, South Carolina 29201**).

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***NOTICE OF RIGHT TO APPEAL***

The parties are hereby notified that Rules 3 and 4 of the Federal Rules of Appellate Procedure govern the right to appeal this Order.